IN THE HIGH COURT OF JUSTICE **Claim No. KB-2026-001940**

KING'S BENCH DIVISION

BEFORE His Honour Judge Najib sitting as a Judge of the High Court in The Royal Courts of Justice on 10 November 2026

B E T W E E N: -

BEDFORD BOROUGH COUNCIL

Claimant

- and -

(1) SEAN DIOLUN O'BRIEN

(2) PERSONS UNKNOWN (ANY PERSON CARRYING OUT AND/OR ENCOURAGING AND/OR FACILITATING DEVELOPMENT ON, INCLUDING FACILITATING, ALLOWING, CAUSING OR PERMITTING CARAVANS OR OTHER FORMS OF RESIDENTIAL ACCOMMODATION TO BE STATIONED ON, OR WITH AN INTENT TO UNDERTAKE DEVELOPMENT ON OR TO OCCUPY, THE LAND KNOWN AS LAND SOUTH OF BEDFORD ROAD, WILSTEAD, BEDFORDSHIRE, AS SHOWN EDGED IN RED ON THE MAP ATTACHED TO THE ORDER WITHOUT LAWFUL PLANNING CONSENT)

(3) JACEQULINE NUGENT

(4) JAMES O'DRISCOLL (SENIOR)

(5) JAMES O'DRISCOLL (JUNIOR)

Defendants

HIGH COURT OF JUSTICE QUEEN'S BENCH DIVISION 12 NOV 26

KB-2026-001940

ORDER

PENAL NOTICE

IF YOU THE WITHIN NAMED DEFENDANTS: SEAN DIOLUN O'BRIEN; PERSONS UNKNOWN (ANY PERSON CARRYING OUT AND/OR ENCOURAGING AND/OR FACILITATING DEVELOPMENT ON, INCLUDING FACILITATING, ALLOWING, CAUSING OR PERMITTING CARAVANS OR OTHER FORMS OF RESIDENTIAL ACCOMMODATION TO BE STATIONED ON, OR WITH AN INTENT TO UNDERTAKE DEVELOPMENT ON OR TO OCCUPY, THE LAND KNOWN AS LAND SOUTH OF BEDFORD ROAD, WILSTEAD, BEDFORDSHIRE, AS SHOWN EDGED IN RED ON THE MAP ATTACHED TO THE ORDER WITHOUT LAWFUL PLANNING CONSENT); JACEQULINE NUGENT; JAMES O'DRISCOLL (SENIOR); AND JAMES O'DRISCOLL (JUNIOR) DO NOT COMPLY WITH THIS ORDER YOU (OR ANY OF YOUR DIRECTORS OR OFFICERS) MAY BE HELD TO BE IN CONTEMPT OF COURT AND YOU (OR ANY OF YOUR DIRECTORS OR OFFICERS) MAY BE IMPRISONED OR FINED OR YOUR ASSETS MAY BE SEIZED.

ANY OTHER PERSON WHO KNOWS OF THIS ORDER AND DOES ANYTHING WHICH HELPS OR PERMITS THE DEFENDANTS (OR ANY OF THEIR DIRECTORS OR OFFICERS) TO BREACH THE TERMS OF THIS ORDER MAY ALSO BE HELD IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE THEIR ASSETS SEIZED.

IMPORTANT NOTICE TO THE DEFENDANTS

This Order prohibits you from doing the acts set out in this Order. You should read it all carefully. You are advised to consult a solicitor as soon as possible. You have a right to ask the Court to vary or discharge this Order.

If you disobey this Order, you may be found guilty of Contempt of Court and you may be sent to prison or fined or your assets may be seized.

UPON the Claimant's application dated 3 June 2026 for an injunction pursuant to section 187B of the Town and Country Planning Act 1990

AND UPON the Claimant's application for an interim injunction being heard without notice on 4 June 2026

AND UPON HEARING from counsel for the Claimant, Mr Michael Feeney, at the without notice hearing on 4 June 2026

AND UPON the Court being satisfied that there was a good reason for the application to proceed on a without notice basis

AND UPON oral judgment being given by Mrs Justice Heather Williams at the hearing on 4 June 2026

AND UPON the Court making an interim injunction in the Order dated 4 June 2026 and sealed on 4 June 2026 ("the Williams Order")

AND UPON the Court continuing the interim injunction in the Order dated 18 June 2026 and sealed on 18 June 2026 at the return date hearing ("the Tindal Order")

AND UPON READING the Claim Form, the Application Notice dated 3 June 2026, the Details of Claim, the Witness Statement of Mr Ian Johnson (and the Exhibits to that Witness Statement) dated 3 June 2026, the Second Witness Statement of Mr Ian Johnson (and the Exhibits to that Witness Statement) dated 11 June 2026, the Application Notice dated 29 October 2026, Third Witness Statement of Mr Ian Johnson (and the Exhibits to that Witness Statement) and the Fourth Witness Statement of Mr Ian Johnson (and the Exhibits to that Witness Statement).

AND UPON HEARING counsel for the Claimant, Mr Michael Feeney, at the hearing on 10 November and the Defendants not attending

AND UPON the Court being satisfied that the Tindal Order had been served in accordance with the requirements of paragraph 12 of the Tindal Order

AND UPON the Court being satisfied in the circumstances that the Defendants had been given sufficient notice of the hearing today and that it was appropriate and in accordance with the overriding objective to proceed in the Defendants' absence

AND UPON oral judgment being given by His Honour Judge Najib (Sitting as a Deputy Judge in the High Court).

AND UPON this Order being treated as the final disposal of the Claimant's claim for a section 187B injunction.

IT IS ORDERED THAT:

SUBSTITUTION AND REMOVAL OF DEFENDANTS

1. Pursuant to CPR 19.2, Sean Diolun O'Brien is substituted as the First Defendant.

2. Pursuant to CPR 17.1, the Claim Form shall be amended to include Sean Diolun O'Brien as the First Defendant.

3. Pursuant to CPR 6.15 and 6.27, permission for alternative service of the Re-Amended Claim Form in respect of the First Defendant is granted. Service of the Re-Amended Claim Form on the First Defendant shall be effected by the Claimant by 4pm on 13 November 2026 by affixing sealed copies of the Re-Amended Claim Form in transparent waterproof envelopes to all entrances to the Land known as Land South of Bedford Road, Wilstead, Bedfordshire, as shown edged in red on the map attached to this Order ("the Land"), and on posts, gates, fences and hedges at conspicuous locations around the Land. This shall be deemed to be good and sufficient service of the Re-Amended Claim Form on the First Defendant.

THE INJUNCTION

4. With immediate effect in relation to the Land, the Defendants, whether by themselves or by instructing, encouraging or permitting any other person or entity, must not carry out development on the Land in breach of planning control.

5. In particular, the Defendants whether by themselves or by instructing, encouraging or permitting any other person or entity, must not, without planning permission (except where to do so is necessary for the purpose of compliance with the mandatory steps below):
    (a) carry out any further development on the Land;
    (b) carry out any engineering operations on the Land;
    (c) carry out any ground excavation works;
    (d) clear any land;
    (e) lay, or create any areas of, hardstanding;
    (f) lay, or create any areas of, hardcore;
    (g) lay bitumen;
    (h) lay gravel;
    (i) lay stones;
    (j) lay or form any concrete bases;
    (k) erect any fencing;
    (l) erect any gates;

(m) create any further access to the Land;
(n) create any further track(s) on the Land;
(o) create any bund(s) on the Land;
(p) bring onto, or keep on, the Land, or any part thereof any plant, machinery or equipment used, or capable of being used, for the development of the Land save for the storage of any plant, machinery or equipment used in connection with an agricultural use of the Land. Any such plant, machinery or equipment used, or capable of being used, for the development of the Land, save for the storage of any plant, machinery or equipment used in connection with an agricultural use of the Land must be removed by 4pm on 10 May 2027 and must not thereafter be brought onto the Land. **N.B** it shall not be a breach of this Order to bring any plant or large scale machinery onto the Land strictly for the purposes of compliance with the mandatory elements of this Order provided that 48 hours' notice is given to the Claimant and that plant or large scale machinery or equipment is removed straightaway after its use and is not stored on the Land;
(q) bring onto the Land, or keep on the Land, any further vehicles, other than, prior to 4pm on 10 May 2027, any vehicles used by the Defendants and necessary for personal use (noting all vehicles must be removed by 4pm on 10 May 2027);
(r) bring onto the Land, or station on the Land, any further or replacement caravans, mobile or motor homes, touring caravans and/or any other vehicle or structure capable of residential occupation other than, prior to 4pm on 10 May 2027 the 1 static caravan and 1 touring caravan present on the Land on 1 June 2026 (noting that they must be removed by 4pm on 10 May 2027);
(s) prior to 4pm on 10 May 2027, allow any residential occupation of the Land, or any further occupation of any caravan or mobile home already on the Land, by any individual(s) other than by those who were occupying the Land at the time this Order was made (i.e. Sean Diolun O'Brien, Jacequline Nugent, their child, James O'Driscoll (Senior) and James O'Driscoll (Junior)) (although noting that all residential occupation of the Land must cease by 4pm on 10 May 2027);
(t) after 4pm on 10 May 2027, allow, permit, facilitate, encourage or participate in any residential occupation by any persons of the Land or any part thereof;
(u) reside on, or occupy, the Land or any part thereof after 4pm on 10 May 2027, whether in a caravan, mobile home or any other kind of residential accommodation;
(v) erect any buildings or shelters on the Land; and/or
(w) install any, or connect any further, services on the Land.

6. In particular, the Defendants are required to, by 4pm on 10 May 2027:
   (a) cease permanently the residential use of the Land;
   (b) remove permanently all mobile homes and caravans from the Land;
   (c) remove permanently all residential paraphernalia (including portable toilets and septic tanks) from the Land;
   (d) remove any hardstanding, hardcore bitumen or gravel placed on the Land;
   (e) remove any track created on the Land;

(f) disconnect and remove any services, including all ancillary components, connected to the Land;
(g) restore the Land to its former condition by re-seeding the Land with native grass seed where this has been removed; and
(h) remove the resultant waste materials and debris from the Land.

NOTE: For the avoidance of doubt, steps taken to comply with the mandatory elements of this Order shall not constitute a breach of this Order.

COSTS OF THE APPLICATION

7. The Claimant's costs of this Claim, summarily assessed in the sum of £20,574.80 are to be paid by the First, Third, Fourth and Fifth Defendants by 4pm on 24 November 2026.

FURTHER DIRECTIONS

8. Pursuant to CPR 6.15 and 6.27, permission for alternative service of the Order in respect of the Defendants is granted.

9. Service of this Order on all of the Defendants may be effected by the Claimant by taking all of the following steps:

   (a) affixing sealed copies of the Order in transparent waterproof envelopes to all entrances to the Land and on posts, gates, fences and hedges at conspicuous locations around the Land;
   (b) publishing a copy of the Order (redacted to remove any phone numbers and email addresses) on a publicly accessible website maintained by the Claimant;
   (c) sending a copy of the Order via email to [redacted] and
   (d) sending a text message and/or WhatsApp message stating that the Order has been published on a publicly accessible website maintained by the Claimant and providing a URL link to the website to the following phone number: [redacted]

   Compliance with all of these steps shall be deemed to be good and sufficient service of the Order on all of the Defendants and the need for personal service of this Order is dispensed with in relation to each of the Defendants (for the purposes of CPR Part 81).

10. Subject to further order, copies of any future documentation may be validly served on the Defendants in these proceedings by affixing sealed copies of the documents in transparent waterproof envelopes to all entrances to the Land and on posts, gates, fences and hedges at conspicuous locations around the Land

11. The Defendants shall provide written notification in writing to the Claimant 5 working days before any transfer of any interest in the Land or the grant of any lease, sub-lease, assignment, demise, sub-demise or licence. Such notification shall include particulars of the new party with an interest in the Land.

12. Pursuant to CPR 40.7(1) this Order takes effect once the Claimant has complied with the service provisions contained in paragraph 9. The Tindal Order remains in effect until this Order takes effect.

VARIATION OR DISCHARGE OF THIS ORDER

13. The Defendants, or any one of them, may apply to the Court at any time to vary or discharge this Order, but if any Defendant wishes to do so, they must first inform the Claimant's solicitors in writing at least 48 hours beforehand.

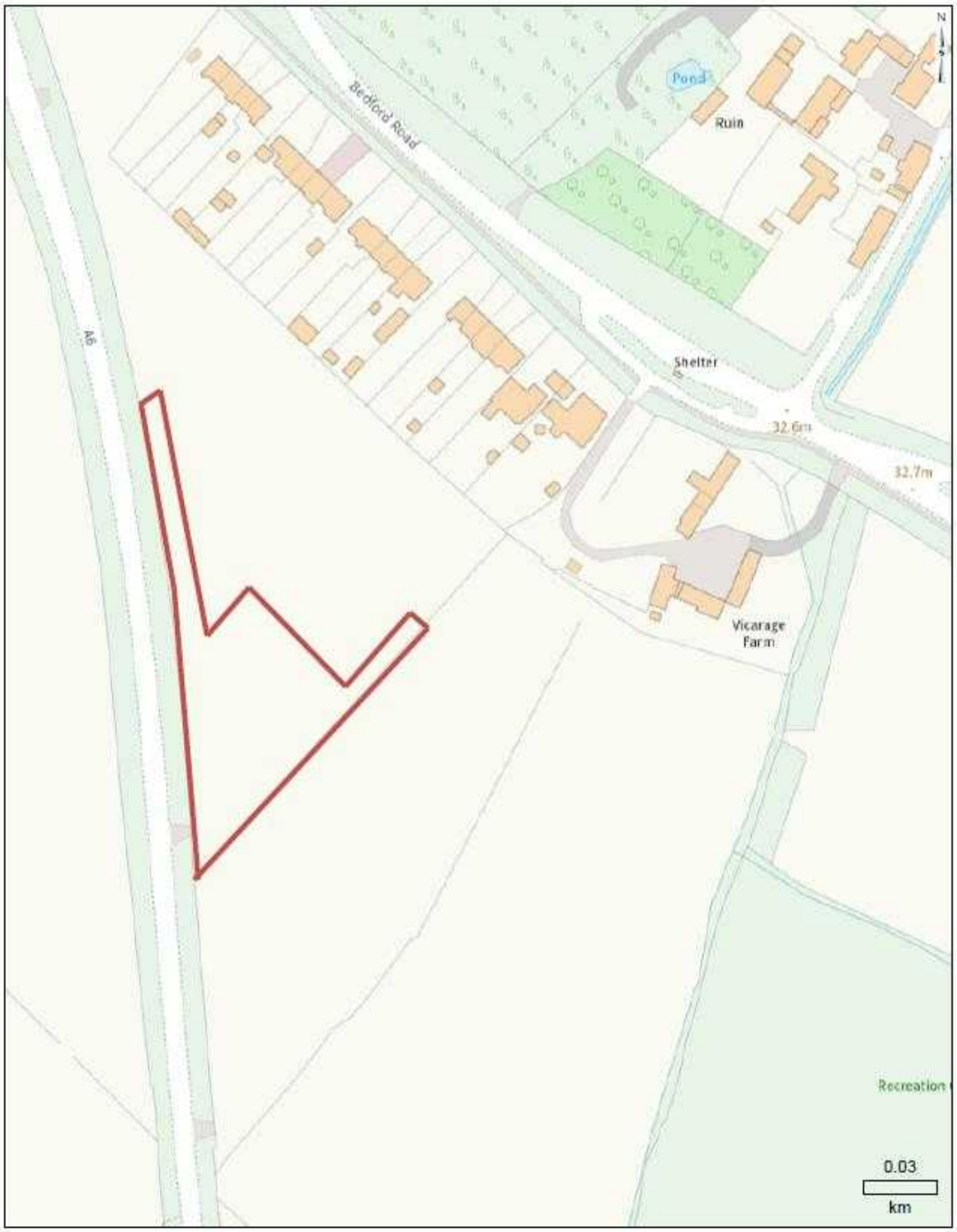
14. The Claimant has liberty to apply to the Court to extend or vary this Order, or for further directions, but if the Claimant wishes to do so, it must first give the Defendants at least 48 hours' notice in writing.

NAME AND ADDRESS OF CLAIMANT'S SOLICITORS

The Claimant's solicitors are: Sharpe Pritchard LLP, Elm Yard, 10-16 Elm Street, London WC1X 0BJ. Reference: Mr J Walker.

BY THE COURT

MADE ON 10 November 2026



1:1,654

BEDFORD BOROUGH COUNCIL

Land south Bedford Road, Wilstead

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